TWELFTH DAY AT BELMONT PARK.

# **SW**EARS WHITMORE WAS IN NEW JERSEY AT TIME OF MURDER

Interborough Towerman Says He ourselves. Saw the Accused Get Off a Newark Train at Jersey City on Dec. 26— Calm on Cross-Examination.

That Theodore S. Whitmore was in New Jersey the night his wife of men and boys attacked some of the was murdered was the positive statement of a witness in the Court of Oyer and Terminer, Jersey City, to-day.

Whitmore has denied that he was out of New York on Christmas until later in the day or until sufficient night or the following morning, and his defense rests on this point.

James B. Quinn, an Interborough employee, was the witness who brought this out. He swore to-day that he saw the defendant in a crowd ried no passengers.

Mayor Johnson this afternoon issued alighting from a Newark train in the Pennsylvania station at 12.40 o'clock on the morning of Dec. 26.

tion of the defendant. We will produce

faintest glimmer of a doubt that it was

mpossible for the defendant to have

The prosecution has promised to force

The defense scored a point when

Frank J. May, a gate tender, employed

Pennsylvania Railroad, called to cor-

roborate the testimony of Towerman

time to fold his hands before the first

ommitted this crime."

Quinn.

Quinn, a young, red-faced chap, said was not in the least disturbed by the that he boarded a Jarsey City train in evidence of Quinn. Newark at 12.23 o'clock. The train, he said, got in on time.

"And as I wass walking down the platform before we came to the gate." he testified "getting out into the main commurse. I saw Whitmore's back about five feet away."

"And you are sure," asked the Prosecutor, "that he was among the passengers leaving the Newark train?"

"Did you see him afterward?" 'Yes, while waiting for a boat I saw him standing against the rail, near the restaurant. A man was quarreiling about his ticket with the ticket-taker, and I heard Whitmore say, 'He's

## Testimony Unshaken. Quinn was absolutely positive in hi

testimony and was not shaken in the least upon cross-examination. Lawyer Simpson went after him hammer and tongs, but, though he roused the young man's anger, he could not wring a contradiction from

Quinn's testimony is the most important link in the prosecution's case, for, without it, there is no proof that the alleged slayer was in New Jersey on the night of the murder.

The time Quinn saw him tallies with all the other tesumony as to the time Whitmore showed up at the City Hall station on the morning of Dec. 26, Quinn saw him board the Cortlandt street boat, which was due in New

When seen at the City Hall he had ample time to walk to the City Hall station and reach there at the time he

was seen by other witnesses. The witness said that he had known fifty witnesses and the defense put in Whitmore for three years, working on the same "L" line with him. He had seen him on an average of six days out of seven, and was sure he could tell his back and walk as well as his face in o'clock this morning he had scarcely

Simpson fell down hard when he witness was under examination by the sought to prove that the young man's State's lawyer. He was an important eyesight was bad. He learned that witness, too-Walter McDonald, the Quinn is employed as towerman on the Park Row waiter, who lived in the Third avenue "L" at Ninety-eighth same house with Whitmore in Brook-

	foozled; he endeavored to get on record	restaurant," said the witness, "was	allow the man to tell what he had	was pulled over the lace of the con-		leaving
	that Quinn had been paid \$200 for his	3.20. When he came in that morning	heard. Pinned down to what he had	demned there was a low murmur which	DD100 011110 0000	of tha
	testimony by a newspaper.	he looked sick and asked if the man	witnessed, he recalled that he had gone	was soon hushed by warning signals from the guards. When the gallows drop was sprung	DUIDE CHILLE DOOD	a par
		who usually relieved him on his run	after Whitmore at No. 1 Broadway, in	from the guards.	RRIUF /HILL HILLR	there
			Schenectady, where he, the defendant,	When the gallows drop was sprung	WILLIAM DITTELL TO THE PROPERTY OF THE PROPERT	Ther
	more, declared just before the resump-		was living with a woman known vari-	and the prisoner swung in the death		would
	tion of the trial this afternoon that he	"Did he eat anything in the restau-	Cook. Webster and May	throes there was a perceptible move-	OU FIDE DAN FOR HE	cate i
		rant?"	COOK,	ment, but this, too, quickly subsided,	TIME LIDE. DAM LIID ATT	he is
		"No, he didn't. He wasn't feeling	Brother Tells of Trouble.	and as the doctors hastened to the side	ON FIRE; RAN FOR AID	
	Help Wanted	good. Usually he'd have a beef stew.	"We had a scrap," said Salter, "and	of the condemned and pronounced the man dead absolute silence prevailed.	ON THILL, TIME TOLL WID	
	Tresp vvalued	a beer and smoke a cigar. He wasn't	the woman skipped out. Whitmore	The execution had certainly awed		
	TID TO A	in the restaurant long, and when he	skipped out to New York then. My	those who witnessed it, no matter what		7.7
	To-Day!		sister was at my house at the time and	other effect it might have produced.	Twenty-eight families were driven	1
	10-Day	left he said he was going home to	I heard lots of stuff about the time she was having with him. But after that	The hanging was in every way what is	to the street by a small fire on the top	
	(A 4 4 4 4 6 1 m) 11 1	sleep, and asked me to wake him up	parte o Calanaganda I didn't nav	usually termed "a success." As the big		III-A
	As advertised for in The Morning	when I came home at 7.30 in the morn-	much more attention to them or their		floor of the tenement at Nos. 215 and	Hot
	World's Want Directory.	ing."	tr ubles."	to say but ten minutes later the streets	217 East One Hundred and Third street	
	World's Wall Directory.	The witness got home at 7.40 and	When Salter had told all the Court		to-day. The blaze was in an apart-	
	TUESDAY, MAY 26, 1908.	woke Whitmore up. Then they sent	would permit him to, Mrs. Bessie Schmitter, sister of the slain woman.	the men of the several nationalities	ment occupied by Harry Meyerowitz	CO
	Addressers 1 Harness Makers 1		was recalled. She said she had seen	went their way in groups, discussing the	and was confined to the rooms in which	~
	Agents 20 Housework119		Whitmore treat his wife brutally.	day's grusome event	it originated.	
	Bakers 2 Horseshoers 1	from the witness that when he left	"Can you fix the time of any such		Mrs. Meyerowitz, who has been mar-	Fold
	Bartenders 3 Ironers 28		occurrence?" asked Mr. Vickers.	PROF. BAWDEN DISMISSED	ried but a snort time, returning to her	or in
	Blacksmiths 3 Janitors 20 Bookkeepers 4 Janitresses 1	the Adams street house on Christmas	"Yes, it was just after Dewey's time,		home from a trip to the market, found	access
	Boys 37 Ladies Tailors 2	afternoon Mrs Whitmore was not	about eight years ago. It was in	FROM HIS POSITION.	a brisk blaze in her bedroom. Closing	cians.
	Bushelmen 15 Laundresses 1	there, and that she had been absent	Brooklyn I went to their home. They had some trouble over me and he		the door and keeping her knowledge to herself, she ran down five flights of	trated
	Butchers 18 Machinists 3	from her husband's home for five days.	Struck her. They were in the next	CINCINNATI, May 26The resigna-	stairs and around to an engine house in	Ask y
	Buttonhole Makers 2 Managers 1	The moon-faced little waiter was	room, but I heard the blow and I saw	tion of Prof. H. H. Bawden from the	One Hundred and Fourth street, near	The W
	Cabinet Makers 1 Manicures 1 Canvassers 25 Nurses 16	palpably friendly to the prisoner; in	the mark on her cheek	Chair of Philosophy in the University	Third avenue, where she gave the	FL
	Carpenters 4 Operators 18		Mrs. Schinitter recalled a similar in-	of Cincinnati not having been present-	alarm. The tenants knew nothing of	
	Cashlers 7 Painters 27		cident that occurred six years ago. At that time she had witnessed the blow.	ed as demanded by President Dabney,	the fire until an engine and hook and	
	Chambbermaids 18 Photographers 4	drew from him that he had not seen			ladder truck lined up in front of the	
	Chefs 2 Printers 3 Cigarmakers 3 Plumbers 4	the murdered woman on the evening	Telegram in Evidence.	that chair has formally been declared	building and policemen begin racing through the halls ordering everybody	4
	Chauffeurs 1 Porters 4		The witness was not allowed to tell	vacant by the University Trustees.	out.	
	Collectors 5 Pressers 12	before she was murdered, nor at any	of the bruises and marks she had no-	In a statement issued to-day the		
	Compositors 8 Roofers 2	time previous for hive days. Still, the	luced on her sister's face. Mr. Vickers		MELLEN ACCEPTS SERVICE	
	Cooks (male) 5 Salesladies 7	witness could not swear that she was	showed the witness the telegram she said she had received on Dec. 29, by	taken unanimously for the following	MELLEN ACCEPTS SERVICE	
	Cooks (female) 23 Salesman 54 Day's Work 1 Shipping Clerks 1	TOTAL TOTAL CONTRACTOR	which time the murdered woman's body		IN COVEDNMENT OUT	
	Dressmakers 38 Shirt Hands 2	McDonald recalled that Mrs. Whit-	was in the Harrison morgue. The tele-	"(1). Prof. Bawden came here under false pretensions, having been dis-	IN GOVERNMENT SUIT.	
	Dentists 1 Sign Painters 3	more's trunk had been out in the hall	grain was not read, but the fact that to	mineral form Various College	<del></del>	
	Dishwashers 9 Skirt Hands 2	for a week, locked and corded.	was signed 'Lena' and spoke about	stantially the same grounds as men-	BOSTON, May 26President Charles	SP
	Drivers 10 Solicitors 1 Drug Clerks 3 Stablemen 3	McDonald, after he got home in the	the sending of Mrs. Whitmore's trunk to Mrs. Schmitter's house was brought		S. Mellen, of the New York, New	WAL
	Electricians 2 Steamfitters 1	morning at 7 until Whitmore came in	out. The trunk did not arrive until	in his letter of May 3, published in the newspapers.		KIS
	Elevator Runners. 2 Stenographers (m) &		Jan. 2. Mrs. Schmitter identified the	пежерарога:	Haven and Hartford Railroad, to-day	SPEC
	Embroiderers 2 Stenographers (f). 3	at 11. watched Whitmore's apartments.	letter she had received after her old	CALOON MUCT NOT DOMINATE	accepted service in the bill in equity	LAT
	Engineers 1 Tailors 13	But on the day after the murder Whit-	ter's death. Though signed Lena, it	SALOON MUST NOT DOMINATE	brought by the United States in the	CHOC
	Farm Hands 1 Tinsmiths 7	mere said to McDonald:	was not in the dead woman's hand- writing, nor were the letters in the	COULDNI HOUSE CAVE HUGHES	United States Circuit Court to separate	
	Feeders 12 Upholsterers	"You needn't watch the stuff any	nandwriting of the brisoner Another	SCHOOLHOUSE, SAYS HUGHES	the New Haven Company from its con- trol over trolley lines and the stock	
	Finishers 1 Varnishers 1	longer."	letter shown to the clinese she tack		now held by it of the Boston and	Barch
1	Foreladies 1 Walters 5	Whitmore didn't explain why there	tined as in Whitmore's handwriting	ALBANY, May 26 In giving his rea-	Maine Railroad.	
666	Gardeners 1 Watthmen 17	was no more need to watch his rooms.	This is the letter in which Whitmore wrote that his wife had gone up State		President Mellen was in his office at	
			to visit friends.	l cambleman Arnold province that a	the South Station and received United	PU
	Girls 28 Miscellaneous316		Lient William G. Boddy of the No.	l cambleman Arnold province that a	the South Station and received United States Chief Deputy Charles Morse, who handed him a copy of the bill and	AN

# EVENING WORLD RACE CHAR CHESTER POLICE

Special Force Sworn In to Deal With Rioters in Street

licemen, and I have instructed them in a crisis to shoot to kill."

This is Mayor Johnston's ultimatum to the rioters who began anew the car strike fighting as soon as the State police were withdrawn last night.

Absolute quiet prevailed in the streets | 100 miles | 100

derly scenes of last night when crowds

claring the intention of the city au-thorities to orotect the company's prop-erty and its men at any cost. "We have ample testimony," said

## Simpson, "to riddle Quinn's identifica-KILLED AT HOTEL MAJESTIC. testimony that will establish beyond the

Sixth Floor.

Patrick Scollard, employed at the complete chain of circumstantial evi- and Central Park West, was washing dence against Theodore Whitmore, and prove that he is a criminal of the most bridal type, possessing also considerable elemental cunning. But in forging the slammatal cunning. But in forging the links in his chain the prosecutor is bound by certain fast rules that prohibit the snapping of too many sparks from the anvil.

The defense scored a point when dence against Theodore Whitmore, and

"Did Whitmore tell you to keep your in the Jersey City station of the eye out for a van?" "He said something about a van."

Policeman Amerew Walsh, of Harrison, followed McDonald to identify the He recounted the incident of the clothing found near the body of the passenger going through the station slain woman.

and refusing to pay his fare. He had Then Harry Siegel, a Third avenue heard a man say to the quarrelling "L" conductor, told of seeing the prispassenger, "You're a cheap skate." oner in the City Hall station not long the man who made that remark, but 26, the day the body of Mrs. Whitmore let best of the others. Monocle closed strong. Quinn had sworn that Whitmore was after 1 o'clock on the morning of Dec. the gate tender described a different was found in the Harrison swamp man. The defendant was ordered to Conductor Siegel was certain that he

stand up. The witness scrutinized the accused man closely, and said in a loud voice. I never saw that man before in my life."

Several friends of Whitman lost that he had seen the defendant after 1.06 and better 1.46. He could not fix the time more exactly. Whitmore was working then as a motorman on the same road, running a sauttle train from the City Hall status to Chatham. Several friends of Whitmore lost their heads and applauded, but the court officers swiftly stlenced them.

The jurors will probably finish their work before the week ends, netwithstanding that the State will have called fifty witnesses and the defense put in ar elaborate allbi.

Walter McDonald on Stand.

When the prisoner took his seat at 10.

The distribution of Whitmore that was up to Whitmore thave appeared at the City Hall station at one o'clock in the morning of Dec. 26, to see that his run was covered.

"As he had not seen personally to When the prisoner took his seat at 10

wise thing for him to show up." said the witness.

Henry Kaufman, who works in the timekeeper's office in the City Hall Station, testified that on Christmas Eve Whitmore had come to his office, accompanied by a woman and a young man who said he was "Doc" Wilson. Kaufman could not describe the woman. He recalled that Whitmore saile companion told him that he. Whitmore, had hurriedly over the big throng that he were bad cold and wanted to get off.

Chambers did by the complete services of the s

Company. Fearing further trouble the company decided not to operate cars until later in the day or until sufficient police protection is provided.

At neon to-day the traction company bersh to run some cars and there was not attempt to molest them. They carried no massengers.

Advor Joinson this afternoon issued

Index. Starters. Wis. St. 4, 49 Fin. Jockeys. Op. Hi. Ci. Pi. Sh. Chi. Pi. Sh. Pi. Sh. Pi. Sh. Chi. Pi. Sh. Pi.

a proclamation warning Lii persons to keep off the streets after dark and declaring the intention of the city authorities to content the supposition of the City aubout the content to the city aubout the city aubout the city | Sariers | 100 |
| Jack 4tkin | 129 |
| Lawrence P Daly 96 |
Old Honesty	105
Dandelion	106
Salvidere	115
Blue Book	113
Montgomery	122

x Stariers.
Nick Stoner
Chaplet
Monocle
Grace Cameroz
Free Trade
Coat of Arms.
Voltrome

## FOR 500 AGAINST CRIME OF MURDER

(Continued from First Page.)

confirmed the information the police had that he had been guilty of committing a murder in Russian Poto his old home three years ago and that As he had not seen personally to his old nome three years agoing a man for his place it was a lething for him to show up." said He appeared to be greatly relieved.

# MAXWELL'S WIDOW

County that Mrs Carrie M. Maxwell, she had a long talk with her son. the Borough Bank, who killed himself significant confirmation of the report at his home in Brooklyn after he had that Thaw's mother is planning to have sanitarium at Easton, Pa., as a lunatic. Thaw's plan of having herself appoint-

Mrs. Mxwell's mind is alleged to have ed to that position. The elder Mrs. given away as a result of the strain. Thaw visited her son but a few times while he was at Mattanwan but alleged. there was a stir and a buzz of talk that made him start slightly and he glanced hurriedly over the big throng that hemmed him in He gave no sign of degab. Maxwell, after being arrested. Thaw denied himself to reporters

## MRS. THAW DROPS | MARRY HIM? HA! HA! ANNULMENT SUIT AND TELLS WHY

sponse to Pressure Brought by Relatives of Husband."

NOW HE NEEDS LOYALTY OF COURSE, I KNOW HIM

tened Her Action in the Present Case.

Reilly, before Referee Deyo.

Thaw family, wanted the whole matter dismissed, but Mr. O'Reilly insisted that t should appear on the records that er ewn volition.

Mr. O'Reilly unbosomed himself of a In the hearing before Referee David

tial income from her husband's estate. She takes the public position that it going to Europe, where Mr. Vanderbilt would not be right for her to seek to is staying?" asked the Evening World practically divorce her husband, at a me when he has just been declared nsane by a judge and committed to an sylum for an indefinite period. given out after the session before Ref-

tion as to Mrs. Evelyn Nesbit Thaw's motive in first bringing an application

motive in first bringing an application for an annulment, and subsequently discontinuing the same.

"Mrs. Thaw, in the first instance, reluctantly made such an application, in response to pressure brought by relatives of her husband. She withdraws from the action at this time, because she believes her husband's present situation demands from her a loyalty to his interests, and that it would not serve any good purpose to prove at a time when he is attempting to gain his liberty, that he was insane when he married her.

"Especially is this true in the light of the unfortunate conclusion of the last proceedings."

"Mrs. Charke. Asset this reporter.

"But A was only on a marte. You business. I had an account at the pushes. I had a marte. The proposed in the same to had a marter. The pushes had does not you a marter was an account at the pushes.

"Then you know Mr. Vanderbit?"

"Why, of course, I know him, 'she answered. "I never demed it. But the use of my name with his is unwarranted. And I protest against the was only on a marter. The pushes had does not you a marter had to was only on a marter. The pushes had does not you a marter had to was only on a marter had th

## THAW'S MOTHER MAY THWART WIFE'S PLANS.

POUGHKEEPSIE, N. Y., May 26.—
Mrs. William Thaw spent all the morning with her son, Harry K. Thaw, in the big room of Sheriff Chanler which Thaw occupies in the Court-House, Mrs. Thaw has been at the Nelson House here since Saturday and every day.

Mrs. Ruiz keeps one driving and two riding horses at Sixty-second street and Central Park West. Every morning her groom leads one of the horses to the Seventh avenue entrance to the park. Mrs. Ruiz drives there in a cab and then rides for several hours. She is said to be one of the most expert horsewomen in New ork. It developed to-day through the filing Thaw has been at the Nelson House of certain legal documents in Kings here since Saturday and every day widow of Howard Maxwell, President of In some quarters this is regarded a

een indicted in connection with a big herself appointed committee of his financial scandal, is now confined in a property in order to thwart Evelyn

street, and that his eyes are perfective good.

Before the witness was dismissed Whitmore was squirming about in his chair and mopphing swear from his fore-head.

Saw Quinn at Depot.

To further clinet the reliability of Quinns as the watter testified and the properties of the bouse at the time of the house at the control of the bouse at the time of the house at the control of the bouse at the time of the house at the control of the bouse at the time of the house at the control of the bouse at the time of the house at the control of the bouse at the time of the house at the control of the bouse at the time of the house at the control of the bouse at the time of the house at the control of the bouse at the control of the bouse at the time of the house at the control of the bouse at the time of the house at the control of the bouse at the time of the house at the control of the bouse at the time of the house at the control of the bouse at the time of the house at the control of the bouse at the time of the house at the control of the properties. The sallow defendant leaned forward with whitmore was squirming about in the sall of the house at the control of the properties. The sallow defendant leaned forward with whitmore was squirming about in the sall of the house at the control of the control of the control of the house at t

# "Little Wonder"

Hot Water Bag & Accessories --- COMBINED -CONVENIENT

SAFE AND PRACTICAL

Folded in soft slik case. Slipped in pocket, or in pocket book. Every lady should have one for traveling or home use. Best toilet accessory ever known. Endorsed by physicians. Sent by mail in plain package. Iliustrated booklet free on request. Price, \$3.50. Ask your Druggist, or by mail, prepaid, to The Western Specialty Manufacturing Company FLATIRON BUILDING, NEW YORK

# SAYS MRS. RUIZ OF VANDERBIL

She Began the Action "in Re- Not Going to Europe, bu Would If She Wanted to, She Says.

Decision Against Harry Has- Chats Gaily as She Returns From a Ride in the Park.

trance to the bridle path, she presented a pleasing figure of healthy robustness. he plaintiff discontinued the sult of While petite and coquettish, she is plump, of the brunette type, strikingly In explaining the action of his client handsome and about thirty

ittle inside history concerning the feel- McClure, Thomas B. Clarke, Vice-Presing existent between the family of dent of the Night and Day Bank, who Harry Thaw and his wife. He assert. has charge of the woman's department ed that Evelyn Nesbit Thaw's suit for of that institution, testified that Mr. annulment was inspired by Thaw's Vanderbilt introduced Mrs. Ruiz at the elatives, who are exceedingly actions bank, where she opened an account.

o separate the pair, and looked upon to separate the pair, and looked upon the annulment proceeding as the most to-day, brusning the perspiration from

"Is it true, as reported, that you are cab. "I am not going to Europa," she said.

"But I will go if I want to. Why shouldn't 1?" "Are you going to marry Mr. Van-

pet Pomeranian "Jacko" in her mistress s pet Pomeranian "Jacko" in her arms. "Madame is riding in the park," said the maid. "Oh, sae fooled them all. She has not been out of the city at all. She only went out after dark. She didn't dare go out she was annoyed so much about the Vanderbilt case. She has nothing to do with Mr. Vanderbilt, anyway."

## To Good Wives and Mothers

Do you know that the health of your entire family can be easily protected by he simple rules of sanitation? Do you know that cleanliness means

disinfection? Just a little CN Disinfectant (non-poisonous) added to your cleaning water and used everywhere about the house will keep it clean and healthful. It will also keep insects and bugs away even during the warmest months

Don't wait until your dear ones are taken sick before you get a disinfectant. Keep sickness away by using one now.

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PENNY A POUND PROFIT

WALNUT CREAM KISSES RISSES POUND 1UC FIGS POUND 110c

SPECIAL ASSORTED CHOCOLATES (20 kinds)....POUND 19c

CHOCOLATE (20 kinds)....POUND 19c TATES (20 kinds)....POUND 25c LATES (20 kinds)...POUND 19C CHOCOLAILE COVERED HARD 25c NINTERGREENS ...POUND 25c

Park Row store open every evening until 11 o'clock. Barclay street and Cortlandt street stores open Saturday evenings until 11 o'clock.

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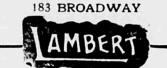


A straight deal to every wearer of our Oxfords-quality unequalled and style that holds to the end. Beautifully finished shoes that do not gap or slip at the heel, because

\$5 6 \$6 in All Leathers ARE YOUR SHOES

HURLEYIZED? The process that adds a third to

OUR \$4 "KEEPSHAPE" SHOE severything that the name implies-and better than all other \$4 shoes. 39-41 CORTLANDT ST.



## NIAGARA **FALLS**

Low fare, round trip excursion tickets on sale for

## Decoration Day

May 29, good returning until May 31st. \$9.00 Vest Shore R. R.

\$10.25 New York Central and time of trains, see agents or Telephone 5680 Madison



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Launches. aivanized fron, wood handles...\$1.50 olished Brass, mabogany drum and handles...\$2.00 himes. Whistles, polished brass \$4.20 lige Pumps \$3.50 \$2.80 siling Lights, worth \$3.50 \$2.80 Bilge Pumps ailing Lights, worth \$3.50... SEND FOR CATALOG.

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HELP WANTED-MALE. ATHE HANDS, first class, wanted; refer